

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEIGTECH EAST BAY LLC,
Plaintiff,
v.

LUTRON ELECTRONICS CO., INC.
Defendant.

MEMO ENDORSED

No. 1:18-cv-05290-CM

LUTRON ELECTRONICS CO., INC.
Counterclaim-Plaintiff
v.
GEIGTECH EAST BAY LLC and JAMES
GEIGER,
Counterclaim-Defendants.

USDC SDNY	ECF CASE
DOCUMENT	
ELECTRONICALLY FILED	
DOC #:	
DATE FILED:	9/10/2020

**NOTICE OF MOTION BY COUNTERCLAIM-DEFENDANTS
GEIGTECH EAST BAY LLC AND JAMES GEIGER FOR
SANCTIONS PURSUANT TO FED. R. CIV. P. 11(C)**

PLEASE TAKE NOTICE that upon the Complaint, the Memorandum of Law in Support of the Motion by Counterclaim-Defendants GeigTech East Bay LLC and James Geiger (collectively, "Counterclaim-Defendants") through their undersigned attorneys, will move for an order granting Counterclaim-Defendants' Motion for Sanctions Against Counterclaim-Plaintiff Lutron Electronics Co. Inc. ("Lutron") Pursuant to Fed. R. Civ. P. 11(c), and such other and further relief as the Court deems just and proper.

The grounds for this Motion are that Lutron has violated its duties of representations to the Court pursuant to Fed. R. Civ. P. 11(b) because:

1. Lutron's counterclaim includes factual contentions that are false, or otherwise lack any evidentiary support, which could have been determined with investigation before filing; and

9/9/2020
I have just
stayed this
case by agreement
of the parties.
The Clerk & Court
will mark this motion
off calendar
(denied & rescheduled
as per the
calendar)

stay
is
lifted

W

2. Based on the fundamental factual and legal defects noted above, it is evident that Lutron's counterclaim is not presented for any legitimate purpose, but rather was filed to harass Counterclaim-Defendants and to cause them to incur unnecessary legal costs.

Dated: July 29, 2020

Respectfully submitted,

/s/ Gary R. Sorden

Jed M. Weiss, Bar ID JMW-5293

COLE SCHOTZ, P.C.

1325 Avenue of the Americas, 19th Floor
New York, New York 10025

Gary R. Sorden (admitted via pro hac vice)
Texas Bar No. 24066124
gsorden@coleschotz.com
Brian L. King (admitted via pro hac vice)
Texas Bar No. 24055776
bking@coleschotz.com

COLE SCHOTZ, P.C.
901 Main Street
Suite 4120
Dallas, Texas 75202
Telephone: 469-557-9390
Fax: 469-533-1587

**ATTORNEYS FOR PLAINTIFF-COUNTERCLAIM
DEFENDANT GEIGTECH EAST BAY LLC AND
COUNTERCLAIM DEFENDANT JAMES GEIGER**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on July 29, 2020, to all counsel of record via electronic mail.

/s/ Gary R. Sorden
Gary R. Sorden